

REMARKS/ARGUMENTS

Favorable reconsideration of this application as presently amended and in light of the following discussion is respectfully requested.

Claims 12-22 are pending in the present application. Claims 12 and 17 have been amended by the present amendment without introducing of any new matter.

In the outstanding Office Action, Claims 12-14 were rejected under 35 U.S.C. § 102(b) as anticipated by Trask (U.S. Patent 2,161,769); Claims 15 and 22 were rejected under 35 U.S.C. § 103(a) as unpatentable over Trask in view of Peruzzi et al. (U.S. Patent 5,110,272, herein "Peruzzi"); Claims 16 and 19-21 were rejected under 35 U.S.C. § 103(a) as unpatentable over Trask in view of Augustin (U.S. Patent 2,908,287); and Claims 17 and 18 were indicated as allowable if rewritten in independent form.

Applicant thanks the Examiner for the indication that Claims 17 and 18 include allowable subject matter. In light of that indication, Claim 17 has been rewritten in independent form, and therefore Claim 17 and Claim 18 that depends therefrom are in condition for allowance.

Claim 12 has been amended, and finds support in Figure 2, for example. No new matter is added.

Claims 12-14 stand rejected under 35 U.S.C. § 102(b) as anticipated by Trask. The Applicant respectfully requests the withdrawal of the anticipation rejection.

Amended Claim 12 is directed to a delivery valve device for a refrigerant compressor that includes a valve plate with a fluid delivery passage, a delivery valve that closes the fluid delivery passage. The delivery valve is secured at one of its ends to the valve plate by a first fixing device. The delivery valve device also includes a delivery valve stop. The delivery valve is clamped at its other end in almost permanent sliding contact with the valve plate by a

spring. The spring is secured to the valve plate by a second fixing device, and directly contacts the valve plate.

In a non-limiting example, Figure 2 illustrates a delivery valve device for a refrigerant compressor including a valve plate 21 with a fluid delivery passage 27, a delivery valve 22 that closes the fluid delivery passage 27. The delivery valve 22 is secured at one of its ends to the valve plate 21 by a first fixing device (e.g., left 26). The delivery valve device also includes a delivery valve stop 24. The delivery valve 22 is clamped at its other end in almost permanent sliding contact with the valve plate 21 by a spring 23. The spring 23 is secured to the valve plate 21 by a second fixing device (e.g., right 26), and directly contacts the valve plate 21.

The outstanding Office Action indicates that a first damping disc 18 of Trask corresponds to the claimed spring. However, Trask does not disclose or suggest that the first damping disc 18 directly contacts a valve plate 9 of Trask. To the contrary, a disc 15 separates the first damping disc 18 from the valve plate 9.

Accordingly, it is respectfully submitted independent Claim 12 and each of the claims depending therefrom are allowable.

Claims 15 and 22 stand rejected under 35 U.S.C. § 103(a) as unpatentable over Trask and Peruzzi. This rejection is respectfully traversed.

Claims 15 and 22 depend on Claim 12, which as discussed above is believed to be allowable. Further, Peruzzi also does not disclose or suggest all of the features recited in amended Claim 12.

Because neither Trask nor Peruzzi discloses or suggests all of the features recited in amended Claim 12, even the combined teachings of Trask and Peruzzi do not render obvious the structure recited in amended Claim 12.

Accordingly, it is respectfully requested this rejection be withdrawn.

Claims 16 and 19-21 stand rejected under 35 U.S.C. § 103(a) as unpatentable over Trask and Augustin.

Claims 16 and 19-21 depend on Claim 12, which as discussed above is believed to be allowable. Further, Augustin also does not disclose or suggest all of the features recited in amended Claim 12.

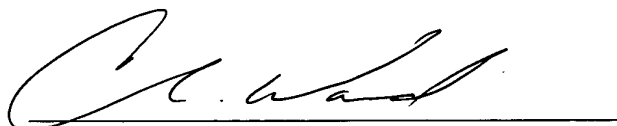
Because neither Trask nor Augustin discloses or suggests all of the features recited in amended Claim 12, even the combined teachings of Trask and Augustin do not render obvious the structure recited in amended Claim 12.

Accordingly, it is respectfully requested this rejection also be withdrawn.

Consequently, in light of the prior indication of allowable subject matter and the above discussion, and in view of the present amendment, the present application is believed to be in condition for allowance and an early and favorable action to that effect is respectfully requested.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.



Gregory J. Maier
Attorney of Record
Registration No. 25,599

Christopher D. Ward
Registration No. 41,367

Customer Number
22850

Tel: (703) 413-3000
Fax: (703) 413 -2220
(OSMMN 08/03)

GJM/CDW/GS:fm
I:\ATTY\GS\22850\221194\AME 2.DOC